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4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA

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7 A. BOLTON,  
8 Plaintiff,  
9 v.  
10 CITY OF BERKELEY, et al.,  
11 Defendants.

Case No. [17-cv-01466-HSG](#)

**ORDER DISMISSING CASE**

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13 Pro se Plaintiff A. Bolton (“Plaintiff”) filed this action on March 17, 2017. Dkt. No. 1.  
14 The same day, Plaintiff filed a motion for leave to proceed *in forma pauperis* (“IFP”). *See* Dkt.  
15 No. 3. On March 27, 2017, Magistrate Judge Sallie Kim denied the motion without prejudice  
16 because Plaintiff failed to provide information regarding “the funds from which he receives  
17 support, e.g., wages, Social Security, public assistance,” or the “source of income from which  
18 [Plaintiff’s] property is maintained or from which Plaintiff is provided a living.” *Id.* Judge Kim  
19 thus found the application incomplete and provided Plaintiff with “one additional opportunity to  
20 present a revised application resolving this conflict” by April 27, 2017. *Id.* The case was then  
21 reassigned to this Court on April 4, 2017. Dkt. No. 8.

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23 On April 20, 2017, Judge Kim’s order was returned to the Court as undeliverable. Dkt.  
24 No. 10. However, on April 24, 2017, the Court sent a new copy of the order to Plaintiff at his  
25 request, which has not been returned. *See* Dkt. No. 11. Nearly two months have elapsed since  
26 Plaintiff received Judge Kim’s order, and Plaintiff has failed to file any additional paperwork  
27 supporting his IFP application. The action is therefore **DISMISSED** without prejudice  
28 for failure to pay the filing fee or to submit a complete IFP application. Plaintiff may file a new  
action, but should include a filing fee or an IFP application with a new complaint to commence

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1 that new action. Because this action is now dismissed, plaintiff should *not* file an IFP application  
2 or pay the filing fee in this action. The Clerk shall close the file.<sup>1</sup>

3 **IT IS SO ORDERED.**

4 Dated: 6/14/2017

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6 HAYWOOD S. GILLIAM, JR.  
7 United States District Judge

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<sup>1</sup> Notwithstanding his failure to pay the filing fee or submit a complete IFP application, Plaintiff has continued to file documents in this action over the past several weeks. No further filings will be accepted in this closed case.